

## Article - Environment

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§6–1202.1.

(a) (1) In this section, “transportation equipment”, “military equipment”, and “components of transportation or military equipment” do not include shipping pallets used to transport unpackaged fruits and vegetables.

(2) This section does not apply to:

(i) Original equipment manufacturer replacement service parts or other products manufactured before January 1, 2011, if the part or products were manufactured in compliance with applicable federal, State, and local laws; and

(ii) 1. A vehicle, as defined in § 11–176 of the Transportation Article;

2. An aircraft, as defined in § 5–101 of the Transportation Article; or

3. A product, part, or replacement part for use in a vehicle or aircraft.

(b) (1) Beginning on December 31, 2010, a person may not manufacture, lease, sell, or distribute for sale or lease in the State any of the following products that contain more than one–tenth of 1% of decaBDE by mass:

(i) Mattresses;

(ii) Upholstered furniture designed for residential use; and

(iii) Electrical or electronic equipment.

(2) Except as provided in paragraph (3) of this subsection, beginning on December 31, 2012, a person may not manufacture, lease, sell, or distribute for sale or lease in the State any product that contains more than one–tenth of 1% of decaBDE by mass.

(3) Paragraph (2) of this subsection does not apply to:

(i) Transportation equipment;

(ii) Military equipment; or

(iii) Components of transportation or military equipment.

(c) On or after December 31, 2013, a person may not manufacture, lease, sell, or distribute for sale or lease in the State the following products that contain more than one-tenth of 1% of decaBDE by mass:

(1) Transportation equipment;

(2) Military equipment; or

(3) Components of transportation or military equipment.

(d) This section does not prohibit:

(1) A retailer that is in possession of a product prohibited for manufacture, lease, sale, or distribution for sale or lease under subsections (b) and (c) of this section from selling, recycling, or otherwise disposing of a product that is in the retailer's or lessor's inventory on or after the date that the prohibition takes effect;

(2) A person from recycling a product that contains decaBDE;

(3) A person from selling, leasing, recycling, or otherwise disposing of a product that contains recycled decaBDE;

(4) Any activity involving a product that contains decaBDE that occurs subsequent to first sale at retail; or

(5) A person from transporting or storing a product prohibited under subsections (b) and (c) of this section for later distribution outside the State.

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